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Laramie County School District #1,
South High School and Louis Sisemore

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING
2014 NOV 5 AM 9 54
STEPHAN HARRIS, CLERK
CHEYENNE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

EG, by and through Minnie Nye,)
her Mother and next friend,)

Plaintiff,)

v.)

Civil Action

14-CV-220-J

JONATHAN ALLEN, CHEYENNE)
POLICE DEPARTMENT, CHEYENNE)
SOUTH HIGH SCHOOL, LARAMIE)
COUNTY SCHOOL DISTRICT #1,)
LOUIS SISEMORE, and)
COLBY M. WHITE,)

Defendants.)

NOTICE OF REMOVAL

TO: EB, by and through Minnie Nye, her mother and next friend, and their attorney,
Robert J. Reese

Defendants Cheyenne South High School, Laramie County School District #1, and Louis
Sisemore, (the School Defendants) by and through their attorneys, Hickey & Evans, LLP, and

pursuant to 28 U.S.C. §§ 1331, 1431, and 1446, and Local Rule 81.1, hereby give notice of removal of the above-captioned matter from the District Court of the First Judicial District, Laramie County, State of Wyoming, to the United States District Court for the District of Wyoming. In support hereof, these Defendants respectfully state:

1. On October 3, 2014, the Plaintiff EG, by and through Minnie Nye, her mother and next friend, filed a lawsuit against Jonathan Allen, Cheyenne Police Department, Cheyenne South High School, Laramie County School District #1, Louis Sisemore and Colby M. White in the District Court of the First Judicial District, Laramie County, State of Wyoming, civil action number 183-140. A true and accurate copy of the Complaint (with redactions) is attached hereto as pages 3-9 of Exhibit 1 and incorporated herein by this reference.

2. The Complaint asserts a claim for damages resulting from the alleged violations of the Plaintiff's federal civil rights under the Fourteenth Amendment to the United States Constitution. *See* Complaint at ¶¶ 21, 26, 35, 36 and 40. Specifically, the Complaint alleges that "the actions of the defendants, and each of them, violated [EG's] federal and civil rights under the Fourteenth Amendment to the United States Constitution and as protected by federal statutes 28 U.S.C.A. § 1343(3) and 28 U.S.C.A. § 1331." Complaint at ¶ 40.

3. Because this lawsuit states a federal question, it is properly removable pursuant to 28 U.S.C. § 1441(a)(b) and/or (c). Subject matter jurisdiction in this Court is additionally based on 28 U.S.C. § 1331. Venue in this District is proper because this is the District where the original lawsuit is pending. 28 U.S.C. § 1441(a) and § 1391(b). Additionally, this Court has supplemental jurisdiction over any state law claims that may be raised in the Complaint pursuant to 28 U.S.C. § 1367.

4. The School Defendants were served with the Summons and Complaint in this matter on October 6, 2014. Thirty (30) days have not yet expired since these defendants received a copy of the Complaint with Summons setting forth the claims for relief upon which this action is based, and this case is therefore timely removable to this Court. 28 U.S.C. § 1446(b).

5. A copy of all process, pleadings and orders (with redactions) served upon these defendants is attached hereto as Exhibit 1 and incorporated herein by this reference.

6. Notice of the filing of this Notice of Removal is being served this date on Plaintiff's counsel of record, as well as counsel of record for defendants Cheyenne Police Department, and Defendants White and Allen in their official capacities, as well as counsel for Defendant Jonathan Allen and Colby M. White in their individual capacities.

7. Defendants Cheyenne Police Department, Defendants Jonathan Allen and Officer Colby M. White in both their individual and official capacities consent to the removal of this action.

8. A copy of this Notice of Removal will be filed this date with the Clerk of the District Court for the First Judicial District in and for Laramie County, State of Wyoming.

WHEREFORE the School Defendants respectfully request by this Notice of Removal that the above-captioned matter be removed from the District Court for the First Judicial District for the State of Wyoming to the United States District Court for the District of Wyoming.

Respectfully submitted this 5th day of November, 2014.

Laramie County School District #1,
South High School and Louis Sisemore



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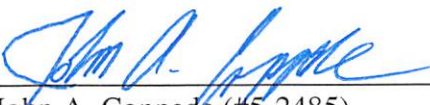
CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of November, 2014, a true and correct copy of the foregoing **NOTICE OF REMOVAL** was deposited in the U.S. Mail, first-class postage prepaid addressed as follows:

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